Written by **Selwyn Duke** on February 27, 2025

Anti-straight-bias Suit Could Upend Discrimination Law — and Further Kill DEI

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Do you know that, based on court rulings, members of so-called privileged groups who claim employment bias must meet a higher bar than "minorities"? Ironically, of course, this means that the latter are privileged *by law*. It's a standard akin to the notion that "only whites can be 'racist.'" But now, one woman's discrimination case may change all this.

As *The Washington Post* reported Tuesday:

> Marlean Ames was distraught in 2019 when she was bumped from an administrator position at the state agency overseeing youth corrections and replaced by a gay man who she says was less qualified.
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> Ames was demoted, and her pay was cut more than $40,000. A few months later, she lost a management job she had applied for to a woman who had not sought the position initially, according to a lawsuit Ames would soon file. That woman, too, was gay.
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> Ames's job discrimination lawsuit makes an unusual claim that could upend how many of the nation's courts have handled such cases for decades: The department, she says, was biased against straight people like her.
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> The Supreme Court will hear oral arguments Wednesday in Ames's bid to revive her case, which was stymied in the lower courts because of past rulings that set a higher legal bar for men, straight people and Whites to prove bias in the workplace than for groups that have historically faced discrimination. That higher standard is unconstitutional, her suit says.

> The case is being closely watched by corporations and employment lawyers, many of whom expect the high court's conservative supermajority to side with Ames, now 60, and make it easier for members of majority groups to sue.

Some Are More Equal Than Others

It may shock many that even after decades of affirmative action and political correctness that metastasized into wokeness, there's still this idea that "majority groups" can't be discriminated against. Yet such discrimination is reality. And it has been institutionalized via court rulings. Fox News reported yesterday on the extra hoops "privileged group" plaintiffs must jump through, writing:

> Ames' case is before the Supreme Court after lower courts dismissed her claim in light of the precedent in the 1973 McDonnell Douglas Corp. v. Green decision. In that case, the high court created a three-step process for handling discrimination cases based on indirect evidence, with the first step being the key issue in the case.
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> At this first step, plaintiffs in such cases must present enough evidence to make a basic case of discrimination. This requirement applies to all plaintiffs, whether they are from minority or majority groups.
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> Thus, Ames is challenging the legal standard used by lower courts, which requires her to provide additional "background circumstances" to "support the suspicion that the defendant is that unusual employer who discriminates against the majority." The majority in this case appears to be Ames, since she is straight.
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> Ames' attorney, Edward Gilbert, argued in a Feb. 7 court filing that this additional evidence burden is inappropriate and that discrimination should be assessed equally.
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> "Judges must actually treat plaintiffs differently, by first separating them into majority and minority groups, and then imposing a 'background circumstances' requirement on the former but not the latter," the filing read. "In other words, to enforce Title VII's broad rule of workplace equality, courts must apply the law unequally."

This would seem an obvious 14th Amendment violation. For that provision dictates that government mayn't "deny to any person within its jurisdiction the equal protection of the laws."

Killing an Unjust Standard

Now, analysts believe the Supreme Court will likely strike down the current double standard. The thinking underpinning it is bizarrely distant from reality, too. For example, just consider one burden that, if met, will enable a "privileged group" member's bias suit to proceed. As *The Washington Post* also informs:

> A majority plaintiff must show that members of a minority group were the decision-makers in the adverse employment action.

Are we really arguing, for instance, that in *principle* a white person will never discriminate racially against other whites? Are we also arguing, seriously, that in *practice* in uber-woke third-millennium America this doesn't sometimes happen?

One could mention here Joe Biden enthusiastically talking in 2015 about how immigration would soon make whites a minority. There also are white figures, such as Robin DiAngelo of *White Fragility* fame, who become rich peddling anti-white propaganda. There are, too, a multitude of headline-grabbing white people who've masqueraded as non-white. (Democratic Senator Elizabeth Warren of Massachusetts comes to mind.) They're hardly outliers, either. Why, a 2021 study found that more than a *third* of white students claimed racial-minority status on their college applications.

Is this happening because anti-white discrimination is mythical and being white is somehow still advantageous? Are all the aforementioned people masochists? Or did we enter a time warp, and now it's suddenly 1951 again?

In point of fact, most notoriously anti-white ideas — DEI, critical race theory, quota standards, "white privilege," etc. — were *originated by white people*, usually in academia. And white people have mainly enforced them. Without the embrace of a left-wing white Establishment, we *never would've heard of these abominations*.

No Different With Sexual Devolutionaries

Of course, the case before the Supreme Court involves anti-heterosexual discrimination. As to this, Ames said in her deposition that homosexuals "stick together," a most unfashionable statement.

It's also likely true.

Remember that "LGBTQ+" people often make their sexuality their identity, have made it a cause, and have formed a community. And group patriotism — and just old-fashioned prejudice — is a reality.

Yet it goes beyond this. Mirroring anti-white propaganda, much sexual devolutionary theory was originated by heterosexuals. And mirroring anti-white propaganda, the sexual devolutionary agenda has been enabled mainly by heterosexuals. You didn't think a few percent of the population made it a *cause célèbre* all on its own, did you?

The reality is that "privileged groups" aren't what the Establishment fantasizes they are. They are what the common man with common sense knows they are. The question is: Will common sense continue to be painfully uncommon in our legal system?